IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23441 of 2004

Between:

Yerra Vinod Babu S/o Sangameswara Rao
R/o Murikondapadu, Bapatla Mandal Guntur district

... PETITIONER

AND

1 The Sub Inspector of Police Vedullapalli Police Station

Bapatla Mandal, Guntur District
2 Shri Venkanna Chowdary, 45 years, Sub-Inspector of
Police, Police Training College, Ongole Prakasam District.
3 Sub Divisional Police Officer Bapatla, Guntur District
4 The Superintendent of Police Guntur
5 Rudra Venkataiah S/o Rajaiah
R/o Budan Pochampally Village and Mandal Nalgonda District
6 Boga Venkatesam S/o Tirupataiah
R/o Budan Pochampally Village and Mandal Nalgonda District
7 Gnaneswar,
C/o Deccan Chronicle S.D. Road, Secunderabad

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue writ of Mandamus or any other appropriate Writ or direction declaring the action of the 2nd respondent in detaining the petitioner in the police station on 6-12-2004 as illegal arbitrary and violative of Article 21 of the Constitution of India and consequently direct the respondents 1 to 4 not to interfere with the liberty of the petitioner and further award compensation to the petitioner for the illegal detention and pass such other or further orders.

Counsel for the Petitioner: MR.O.MANOHER REDDY

Counsel for the Respondent Nos.1 to 4: GP FOR HOME

The Court at the admission stage made the following :

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O R D E R:

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The petitioner alleges that the respondents 1 and 2 are indiscriminately calling him to the police station and are exerting pressure to settle the matter with the respondents 5 to 7. The petitioner seeks appropriate directions in this regard.

Heard learned counsel for the petitioner and the learned Government Pleader for Home.

The petitioner states that he has been called to the police station by respondents 1 and 2 on 6.12.2004, and was made to sign certain papers. He seeks a declaration that the action of the respondents is illegal and arbitrary. According to the petitioner, he lent some amount to a textile firm at Chirala, and when the firm was closed, respondents 5 to 7 have pressurized him through police. This Court is not inclined to go into the details of the matter, such as, the validity of the so-called promissory note or other documents said to have been executed by the petitioner, under alleged duress. Learned Government Pleader for Home, on instructions, submits that the respondents 1 and 2 never intended to interfere with the petitioner, and the civil disputes between himself and respondents 5 to 7 have to be resolved only through Courts.

Taking the submission made by the learned Government Pleader on record, the writ petition is disposed of, directing that the respondents 1 and 2 shall not interfere with, or otherwise harass the petitioner in relation to any civil dispute. There shall be no order as to costs.

20th December, 2004

Note: Issue copy in three days.

(B/o)

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To

1 The Sub Inspector of Police Vedullapalli Police Station

Bapatla Mandal, Guntur District
2 The Sub-Inspector of
Police, Police Training College, Ongole Prakasam District.
3 Sub Divisional Police Officer, Bapatla, Guntur District.
4 The Superintendent of Police, Guntur.
5 Two C.Cs to the Govt.Pleader for Home,

High Court buildings, Hyderabad (OUT).

6 Two CD copies